

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL RAPHAEL,

Plaintiff,

v.

LARENCE HARDIN,

Defendant.

Case No. [19-cv-02923-WHO](#)

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**


Re: Dkt. No. 8

On August 21, 2019, Magistrate Judge Donna M. Ryu issued a Report and Recommendation, recommending dismissal of this IFP action for failure to prosecute under Federal Rule of Civil Procedure 41(b) because plaintiff had failed to file a first amended complaint addressing the deficiencies identified in Judge Ryu's Order Screening Complaint Pursuant to 28 U.S.C. § 1915(e) despite having ample notice and opportunity. Dkt. No. 7. Judge Ryu's Report and Recommendation was issued on August 21, 2019 and served by mail on plaintiff. Objections were due on or before September 4, 2019. As of today's date, no objection or other response has been filed by plaintiff.

Having reviewed the record in the case, including Judge Ryu's clear directives to plaintiff and plaintiff's failure to comply with those directives, I agree with Judge Ryu's Report and Recommendation and adopt it in every respect. This case is DISMISSED without prejudice for failure to prosecute under Rule 41(b).

**IT IS SO ORDERED.**

Dated: September 18, 2019

  
WILLIAM H. ORRICK  
United States District Judge